

REMARKS

An amendment to the specification has been made to correct a minor typographical error. In particular, this amendment addresses the drawing and specification objection of the Action.

- 5 Claims 12-25 are canceled without prejudice.
Claims 1-5 and 7-11 rejected under 35 U.S.C. §103(a).
Claims 1-5 and 7-11 remain in this application.

Examiner Interview

- 10 A telephone interview was conducted on July 12, 2005 between Examiner Tamara Graysay and Emmanuel Rivera. Discussion took place as to the objections to the drawings and specification. Appropriate amendment to the specification is provided in this response.

15 **Drawing and Specification Objection**

The drawings are objected to because they fail to comply with 37 CFR 184(p)(5) because they include the following reference character not mentioned in the description: 408 (Fig. 4).

- 20 The disclosure is objected to because of the following informalities:
reference character 408 (Fig. 4) is not mentioned in the specification (e.g., p. 15).

The amendment to the specification addresses the objection. In specific, an instance of "406" has been correctly changed to "408". No changes in the drawings are necessary.

35 U.S.C. §101

Claims 12-25 are rejected under 35 U.S.C. §101 as being directed to non-statutory subjected matter. Claims 12-25 have been canceled. Therefore, the §101 is rendered moot.

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35 U.S.C. §112

Claims 12-16 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim the subject matter which the applicant regards as the invention.” Claims 12-16 have
10 been canceled. Therefore, the §112 is rendered moot.

35 U.S.C. §102

Claims 21-23 are rejected under 35 U.S.C. §102(b) as being anticipated by the article “Who’s Winning the Information Revolution” by Myron Magnet
15 (Fortune, November 30, 1992), hereinafter referred to as “Magnet”.
Reconsideration is requested. Claims 21-23 have been canceled. Therefore, the §102 is rendered moot.

35 U.S.C. §103

Claims 1-5 and 7-11 are rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of U.S. Patent No. 5,789,732 McMahon et al (McMahon) in view of U.S. Patent No. 5,835,817 to Bullock et al (Bullock).

5 Reconsideration is requested.

Independent claim 1 recites “[a] method comprising:

retrieving printing device data from component memory on a replaceable component used in a first printing device;

storing the printing device data in a marketing database;

10 associating the printing device data with the first printing device;

searching the marketing database for a second printing device that meets certain search criteria associated with the printing device data; and

applying a pre-determined marketing solution for the second printing device found to meet the search criteria.”

15 McMahon teaches a consumer data device (CCD) comprised of a plastic encased, credit card size case containing a memory for data and transaction retention. (McMahon, col. 1 lines 30-31). The CDD may be considered a portable data storage and retrieval device that consumers use to replace “paper” transactions and exchanges of information. The CDD is particularly directed to
 20 enable numerous methods and concepts to replace coupons, rainchecks, product information, recipes, and acquire consumer information. (McMahon, col. 1 lines 55-60). The CCD is a self contained standalone device carried and used by a customer for various commercial transactions, such as raincheck generation (McMahon, col. 2 line 28 to col. 3 line 37), and coupon issuance (McMahon, col.
 25 3 line 38 to col. 4 line 36). Particularly using the coupon issuance transaction,

information (i.e., buying history at the particular store) is accessed from the CCD (McMahon, col 4 lines 10-19).

The previous Action of December 21, 2004 presented that McMahon teaches "a method for retrieving data from the memory or a replaceable component (consumer card 10 or CCD)"; "associating the data with a product (purchasing history of the consumer)"; teaches "searching the database for the product (coupon and promotional discount opportunities that can be used in the current visit); and "applying a predetermined marketing solution (download coupon and promotional discount opportunities that are redeemed at the point of sale).

McMahon fails to teach or suggest "retrieving data from the memory or a replaceable component". The Action relies on the CCD of McMahon as a replaceable component; however, the CCD is a standalone device that is not a replaceable component of any device. McMahon fails to teach or suggest "associating the printing device data with the first printing device" as recited in claim 1. Purchasing history of the consumer as taught in McMahon is general and does not associate data to a particular product, and specifically a first printing device. McMahon fails to teach or suggest "searching the marketing database for a second printing device that meets certain search criteria" as recited in claim 1. McMahon teaches creating coupon and promotional discount activities; however, no second product (printing device) is searched based on certain search criteria. Furthermore, McMahon fails to teach or suggest "applying a pre-determined marketing solution for the second printing device found to meet the search criteria", since a second product (printing device) is not particularly searched for.

In the present Action, it is presented that "the claims are broad" and that "methods steps including retrieving data (no particular data is retrieved) from component memory, then searching the database for a second printing device and apply a marketing solution for the second printing device. The retrieved data from
5 the component memory is not required for any of the later recited process steps of searching and applying".

Applicants present that claim 1 recites "printing device data" which, contrary to what the Action presents, is particular data. Furthermore, claim 1 has been amended to recite "certain search criteria associated with the printing device
10 data". An association exists with the search criteria and the printing device data.

Bullock is cited for its teaching of "a printing device component that is replaceable and has a memory chip that stores information related to the usage of the device". However, Bullock provides no assistance in light of McMahon as to the recited method of claim 1. Since McMahon does not teach the elements of
15 claim 1 as discussed above, it would not have been obvious to combine the "printing device component" taught by Bullock.

Accordingly, a combination of McMahon and Bullock is improper. Applicants respectfully request that the §103 rejection of claim 1 be withdrawn.

Dependent claims 4-5, 7-11 are allowable at the least by virtue of their
20 dependency on base claim 1. Applicants respectfully request that the §103 rejection of claims 4-5, 7-11 be withdrawn.

Claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of McMahon and Bullock, in further view of U.S. Patent No. 5,625,816 to Burdick et al (Burdick). Reconsideration is requested.

Dependent claim 6 depends on claim 1 and benefits from the arguments in support of claim 1, and therefore is allowable at the least by virtue of its dependency on claim 1. Applicants respectfully request that the §103 rejection of claim 6 be withdrawn.

CONCLUSION

All pending claims 1-5 and 7-11 are in condition for allowance. Applicants respectfully request reconsideration and prompt issuance of the subject application. If any issues remain that prevent issuance of this application, the

5 Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

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